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February 17, 2006

Via Hand Delivery (2/21/06) and Electronic Filing

The Honorable Gregory M. Sleet
United States District Court
844 N. King Street
Lock Box 19
Wilmington, DE 19801

**Re: Kopacz v. Del. River and Bay Auth. *et ano.*, D. Del., C.A. No. 04-911 (GMS)
Kopacz v. Del. River and Bay Auth., D. Del., C.A. No. 04-1281 (GMS)**

Dear Judge Sleet:

Following the jury's verdict, the Court requested that the parties agree to a briefing schedule for post-trial motions. My firm has filed today a proposed Order setting forth the suggested briefing schedule for Your Honor's approval. My understanding is that all counsel have agreed to the dates contained in the proposed Order.

It should be noted that the parties intend to file their post-trial **motions** within the ten days as required by Rule 6(b) of the Federal Rules of Civil Procedure, which provides that the time to file such motions may not be extended beyond time period provided in Rules 50 (judgment as a matter of law) and 59 (new trial or amendment of judgment). With the Court's permission, the parties will file their **motions** within ten days in order to comply with the Federal Rules, but request permission to file their supporting **briefs** within the time period set forth in the briefing schedule approved by the Court. We believe that this procedure is sanctioned by Local Rule 7.1.2.

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All parties have agreed to the proposed schedule, and are available for a conference or conference call should the Court deem it necessary.

Respectfully,

/s/ Carmella P. Keener
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